

UNITED STATES DISTRICT COURT

for the

NORTHERN District of NEW YORK

United States of America

v.

Mohammed A. ALEEM

Defendants

Case No. 8:13-m-120(LAK)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of March 5, 2013 in the county of Clinton in the Northern District of New York, the defendant violated 8 U. S. C. § 1324 (a)(2) (B)(iii), an offense described as follows:

Mohammed A. ALEEM, knowingly or in reckless disregard of the fact that an alien, believed to be named Mir Mustafa ALI, had not received prior official authorization to come to, enter, or reside in the United States, brought or attempted to bring such alien to the United States and the alien was not upon arrival immediately brought and presented to an appropriate immigration officer at a designated port of entry.

X Continued on the attached sheet.



Complainant's signature

Katherine Grabda, Border Patrol Agent

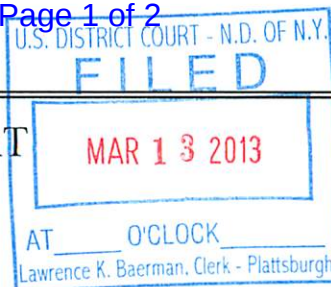
Printed name and title

Sworn to before me and signed in my presence.

Date: March 13, 2013City and state: Plattsburgh, New York


Judge's signature

Larry A. Kudrle, U.S. Magistrate Judge, N.D.N.Y.



Continuation Sheet for United States of America v. Mohammed ALEEM

This criminal complaint is based on these facts:

On March 5, 2013, at approximately 3:30 AM, Champlain Border Patrol Agents were notified by Swanton Sector Dispatch that a cross border smuggling event originating at the Edgerton Road in Canada had been observed and recorded by remote camera. Sector observed a person walk and run south across the border onto NYS Route 276. Border Patrol Agents responded to the runner on 276 and encountered Mir Mustafa ALI, an alien, citizen of India, unlawfully present in the United States. ALI was detained and arrested. ALI possessed a cell phone at the time of his arrest.

Royal Canadian Mounted Police (RCMP) officers in Canada responded to the vehicle in the ditch and found Mohammed Abdul ALEEM. The vehicle in the ditch was a 2011 white Toyota hatchback, IL plates P255826, registered to ALEEM. RCMP officer told Border Patrol Agents that ALEEM denied helping anyone sneak into the United States. ALEEM possessed a resident alien card which shows that he is a Lawful Permanent Resident of the United States and a citizen of India. Record checks confirm ALEEM has been a Lawful Permanent Resident since September 23, 2012.

Inside the 2011 white Toyota hatchback that was in the ditch on Edgerton Road was a new cell phone package, which was empty. Comparison of the printed make, model, and serial numbers affixed to the box shows that the phone found in the possession of ALI in the United States when he was arrested by Border Patrol was previously packaged in the empty phone box that was found in the Toyota driven into the ditch by ALEEM. Additionally, inside the automobile was a cell phone contract bearing the name of ALI.

Remote infrared video footage shows an individual, believed to be ALI, walking and running southward from an area just north of the border where a hatchback matching the profile of the 2011 white Toyota hatchback, believed to be ALEEM's, had turned around and was attempting to drive northward.